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Chief, Administrative Staff

3 May 1950

Budget Officer

Transportation and Per Diem Expenses

1. In response to your memorandum of 26 April 1950 we wish to advise that this office is of the opinion that an Agency statement of policy should not be issued with respect to the matter of determining the mode of transportation that employees of the Agency may elect to use. The several related problems have been under consideration for sometime and it appears that there are inadequate interpretations by the General Accounting Office of existing laws and regulations to permit an immediate issuance of a statement of policy or guiding regulations since it is necessary in any such statement to provide for the protection of not only the travelers but also fiscal and certifying officers.

2. It is the recommendation of this office that there be prepared by the General Counsel, in coordination with the pertinent Budget and Finance representatives, for the signature of the Director, a request to the Comptroller General of the United States for a decision on substantially the following questions:

a. If an individual is making a one-way trip abroad or is being transferred from abroad for separation or other purposes, is it required under existing laws and regulations that he use the same mode of transportation for the entire trip provided the initial mode of transportation would be cheaper to the Government if used for the entire trip?

b. If an individual is authorized to return to the United States for home leave under the authorities provided in Public Law 110, 81st Congress, and travels via commercial air facilities, is it required that he also return to his overseas post by this means of transportation (as distinguished from ocean travel) if the entire round trip by air would be cheaper to the Government, including the cost of transportation and per diem involving dependents, if any?

c. Does an employee or his dependents have an "election" as to the mode of transportation to be used even though such election may result in a considerable increase cost to the U. S. Government including loss of travel time if transportation is made by vessel rather than by air facilities?

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- 2 -

d. Is it appropriate, due to budgetary or other administrative reasons or operational expediency, to require that an individual or his dependents use or be held to the cost of the cheapest means of transportation recognized under existing laws and regulations as a "common carrier"?

3. It is believed that a legal interpretation with respect to these questions is the only means by which adequate and proper regulations can be issued and existing confusion eliminated. At the present time there is not a meeting of minds throughout the Agency on the part of either operating or administrative personnel. A solution to this matter would be of considerable benefit to the entire Agency.

E. H. SAUNDERS

KFW/vlb

cc: Executive
Chief, Fiscal Div.
Chief, Finance Div. ✓
Signer's copy

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